

FLORIDA SHERIFFS ASSOCIATION



Controlled Substances/Drug Control

Florida continues to work to solve its opioid epidemic. Treatment and recovery support services are needed for those who are addicted to drugs, but enhanced tools are needed to hold drug dealers accountable for their criminal actions that are flooding our communities with deadly drugs. SB 1260 and HB 325 will make three important changes to hold those that supply controlled substances and illegal drugs to users accountable, while also protecting recovering addicts who are seeking treatment at a drug treatment facility.

- Modify the current law of unlawful killing of a person by distribution of a controlled substance by changing “proximate cause” of death to “have caused, or is proven to have been a substantial factor in producing” the death of the user. This change will modernize current law to ensure drug dealers who cause or contribute to a person’s death from the drugs they sell can be charged with murder.
- Create a culpable negligence charge for drug dealers who sell drugs to a person who overdoses but survives. Current law allows the drug dealer to be charged with murder, but there are no penalties for the dealer who sells drugs to a user who survives, even if the user was only revived by use of naloxone.
- Enhance penalties for selling or distributing controlled substances within 1,000 feet of drug treatment clinics by increasing the penalty to a first-degree felony to sell or distribute controlled substances within 1,000 feet of a drug treatment clinic, recovery residence (sober homes) or any facility that provides treatment to recovering addicts. Florida already has laws in place prohibited the sale of drugs from 1,000 feet of schools and day care centers. Substance abuse treatment centers should also be included in this list.

Support SB 1260 Sen. Brodeur and HB 325 Rep. Plakon

